

EXHIBIT B

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARC H. FISHMAN,

Plaintiff,

- against -

AFFIDAVIT

CITY OF NEW ROCHELLE, COUNTY OF
WESTCHESTER, ET.AL,

19-CV-265 (NSR)

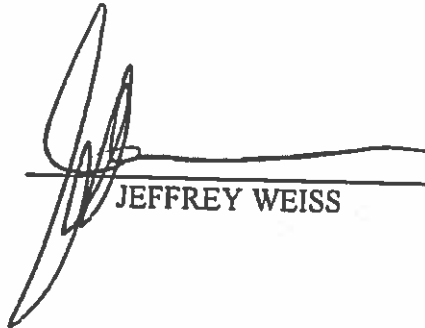
Defendants.
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JEFFREY WEISS, being duly sworn, deposes and says:

1. I am employed by the County of Westchester as a Lieutenant (hereinafter referred to as the "County") in the capacity of Commanding Officer, Special Investigations Unit, Department of Public Safety, ("DPS") and I have my offices at 1 Saw Mill River Parkway, Hawthorne, New York.
2. As Commanding Officer of the Special Investigation Unit (SIU), I am responsible for overseeing Police Officer investigations.
3. The lawsuit in the above-referenced matter refers to an incident which allegedly occurred on December 15, 2018, wherein plaintiff Marc Fishman was arrested by New Rochelle Police Officers. Upon information and belief, the Police Officers allegedly involved in the arrest, booking and detention of the plaintiff were City of New Rochelle Police Officers Lane Schlesinger and Sgt. Myron W. Joseph.
4. I have reviewed the official records within the Department of Public Safety, and based on said review, Police Officers Schesinger and Joseph are not employed by the County's Department of Public Safety as County Police Officers.

5. The City of New Rochelle Police department and the County of Westchester's Department of Public Safety are two separate police departments and as such, the County is not responsible for any actions committed by members of the City of New Rochelle police department.

Dated: White Plains, New York
September 15th, 2020


JEFFREY WEISS

Sworn to before me this
15th day of September 2020


NOTARY PUBLIC

Taryn A. Langrin
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02LA6398487
Qualified in Westchester County
Commission Expires September 30, 2023